REMARKS/ARGUMENTS

Before this Amendment, claims 1-28 were present for examination. Claims 1, 3, 5, 11, 14, 15, 18, 21, 24, 25, and 28 are amended to more particularly recite aspects of the claimed invention. Therefore, claims 1-28 are present for examination, and claims 1, 11, 18, and 24 are the independent claims. No new matter is added by these amendments. No claims are added or canceled. The Applicant respectfully requests reconsideration of this application as amended.

The Office Action dated August 24, 2005 ("Office Action") rejected claims 1-16, 21, 24-25, and 27-28 under 35 U.S.C. §103(a) as being unpatentable over the cited portions of U.S. Patent No. 6,538,673 to Maslov ("Maslov") in view of the cited portions of U.S. Patent No. 5,877,758 to Seybold ("Seybold"). Claims 17-20 and 22-23 were rejected under 35 U.S.C. §103(a) as being unpatentable over Maslov in view of Seybold and in further view of the cited portions of W3C'S "HTML 4.0 Specification: Chapter 18: Scripts ("W3C"). Claim 26 is rejected under 35 U.S.C. §103(a) as being unpatentable over Maslov in view of Seybold in further view of the cited portions of U.S. Patent No. 5,748,512 to Vargas ("Vargas").

35 U.S.C. §103(a) Rejection, Maslov and Seybold

The Office Action rejected claims 1-16, 21, 24-25, and 27-28 under 35 U.S.C. §103(a) as being unpatentable over Maslov in view of Seybold. To establish a *prima facie* case of obviousness, the prior art references must "teach or suggest all the claim limitations." MPEP §2143. Maslov fails to teach or suggest an on-screen selection control containing "a plurality of control-elements ...[which] each correspond directly" to a "hierarchical progression of ancestor elements." Nor does Maslov teach a configuration wherein "a user ... [may] choose a control-element of the plurality to thereby select the corresponding ancestor element."

The Office Action stated that Maslov may be relied on to teach a selection control which "allows selecting ... a hierarchically-related ... [ancestor] element by extending, contracting, or sliding the [on-screen] selection area ... i.e. user can select any size content area" (Office Action, p. 3, sec. 9). Maslov does, in fact, state that a "user can ... use the arrow keys of

a computer keyboard to extend, contract, or move sideways the selection" (Maslov, col. 5, l. 50). But the "selection" in Maslov refers to a highlighted screen area. A user may " extend, contract, or move sideways " the highlighted on-screen areas. Maslov does not teach or suggest control-elements which ***directly correspond*** to a ***hierarchical progression*** of ancestor elements. Instead, the arrow keys allow a user to select an on-screen area (i.e. fragment). Only once the selection is made (i.e. the selection process completed) does the program of Maslov determine the corresponding tree node. The claims are amended to more particularly recite this distinction.

The Specification supports the amendments, and illustrates certain differences between the reference and claim elements at issue. The following passage is illustrative: "The selection control 704 lets the user select any logical unit of elements in that tree, thus in effect selecting the content of all nested elements. ... A slider 708 then enables the user to walk up and down the DOM hierarchy tree from that initial location" (Original Application, p. 14, ll. 27-31).

According to another embodiment, "[t]he ancestor elements defined on the control 704 correspond to ancestor elements in the hierarchy from HTML." (Original Application, p. 10, ll. 15-16). These provisions emphasize the differences between the reference and claimed element, as the reference provides that keys may be used to *modify* the *highlighted screen area*, whereas the claims provide on-screen "control-elements" which "directly correspond" to a "progression of ancestor elements."

Specifically, Maslov teaches the *selection* of a *highlighted fragment* from a web page (Maslov, col. 8, ll. 39-49; Figs. 2 and 3). But only after the fragment is selected does the Maslov program "find ... a tree node that corresponds to the document fragment selected by the user" (Id., col. 9, ll. 5-7). Compare the present claims, where the control-elements of the selection control *directly correspond* to the *progression of ancestor elements*. These ancestor elements are linked to the selection control in a manner not taught or suggested in Maslov.

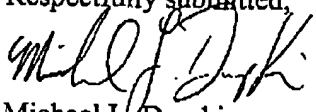
Independent claims 1, 11, 18, and 24 are allowable for at least the reasons cited above. Claims 2-10, 12-17, 19-23, and 25-28 each recite limitations in addition to those in the independent claims, and these dependent claims are believed allowable for at least the same reasons as given above.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,



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